



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (August 2017) (Implements RCW 34.05.310) Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: July 02, 2019

TIME: 7:55 AM

WSR 19-14-098

**Agency:** Health Care Authority

**Subject of possible rule making:**

182-530-7900 Drugs purchased under the Public Health Service (PHS) Act; other related rules as appropriate.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 41.05.021, 41.05.160

**Reasons why rules on this subject may be needed and what they might accomplish:** The agency is revising this section to clarify that as part of participation in the 340B program, providers must agree that all claims for Washington Apple Health clients in fee-for-service and managed care are subject to 340B rules.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The Centers for Medicare and Medicaid Services (CMS).

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The agency welcomes the public to take part in developing this rule. If interested, contact the person

identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rulemaking (CR-102) to everyone receiving this notice and anyone who requests a copy.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Valerie Smith, Rules Program Manager  
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 Other:

(If necessary)

Name:  
 Address:  
 Phone:  
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 Email:  
 Web site:  
 Other:

Additional comments:

**Date:** July 2, 2019

**Name:** Wendy Barcus

**Title:** HCA Rules Coordinator

**Signature:**